

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**IN RE: PHILIPS RECALLED CPAP,
BI-LEVEL PAP, AND MECHANICAL
VENTILATOR PRODUCTS LIABILITY
LITIGATION**

This Document Relates to:

*All Personal Injury and Medical Monitoring
Cases*

Master Docket: No. 21-mc-1230-JFC

MDL No. 3014

**JOINT MOTION FOR ENTRY OF AMENDED SCHEDULING ORDER
REVISING CERTAIN DEADLINES FOR
THE PERSONAL INJURY AND MEDICAL MONITORING TRACKS**

Plaintiffs and Defendants, through their undersigned counsel, jointly move the Court to enter the attached proposed scheduling order extending the remaining deadlines for the personal injury and medical monitoring tracks (*see* ECF No. 2355) by 60 days. To date, the Parties have taken more than 40 depositions (including of third parties), over 2 million documents have been produced, and discovery is very far along. However, a number of additional depositions need to take place prior to the existing April 30, 2024 close of general causation fact discovery—including, in particular, depositions of more than 35 medical monitoring plaintiffs. In addition, a number of additional depositions, and potentially additional document productions, need to happen prior to the July 30, 2024 close of all fact discovery. The Parties are continuing to meet and confer cooperatively to schedule these depositions and resolve any outstanding issues, but a brief extension of 60 days should allow the remaining discovery to take place while minimizing the risk of escalating unnecessary discovery disputes to Special Master Katz and even potentially the Court. Finally, in light of Special Master Katz’s recent Report and Recommendation (ECF No.

2708), and assuming the Court adopts it, the proposed amended deadlines would afford additional time for SoClean and DWHP to participate in discovery proceedings in this MDL.

For these reasons, the Parties respectfully submit that good cause exists for a modest extension to the existing deadlines, and respectfully request that the Court enter the proposed amended scheduling order.

Dated: April 12, 2024

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CERTIFICATE OF SERVICE

I hereby certify that on April 12, 2024, the foregoing document was electronically filed with the Clerk of the Court on served upon counsel of record through the Court's ECF system.

/s/ John P. Lavelle, Jr.
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